

EXHIBIT 7

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

ePLUS, INC.

vs.

LAWSON SOFTWARE, INC.

:
: Civil Action No.
: 3:09CV620
:
:
: January 13, 2011
:

COMPLETE TRANSCRIPT OF THE JURY TRIAL

BEFORE THE HONORABLE ROBERT E. PAYNE

UNITED STATES DISTRICT JUDGE, AND A JURY

APPEARANCES:

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Official Court Reporter
United States District Court

1 Q What is Novant Health, Incorporated?

2 A Novant Health is an integrated delivery network, and by
3 that it's a health care delivery organization that delivers all
4 forms of health care meaning acute care, which is your normal
5 hospital, inpatient hospital care. You have ambulatory care
6 which is physician practices. You have home health care. You
7 have long-term care. So we deliver all forms of that type of
8 health care.

9 Q What is your position at Novant?

10 A I am director of supply chain technology.

11 Q What are your duties as the director of supply chain
12 technology?

13 A I manage a team that's responsible for the functional
14 support of the technology used to run supply chain business
15 such as for procurement purposes, for inventory purposes, for
16 warehouse management.

17 Q How many years have you been involved with computers or a
18 computer analyst?

19 A I'm probably going to say 20 years.

20 Q Are you familiar -- let's switch topics now.

21 A Okay.

22 Q Let's talk about why we're here. Are you familiar with
23 the Lawson S3 procurement system?

24 A Yes.

25 Q How are you familiar with the Lawson procurement system?

1 representation, the item master, the item data, that's Lawson's
2 in this depiction; correct?

3 A That's correct.

4 Q Let's talk about the products that are actually installed
5 at Novant. Novant uses the Lawson inventory control module;
6 correct?

7 A Yes.

8 Q And Novant also uses the Lawson purchase order module;
9 correct?

10 A Yes.

11 Q And Novant uses RSS or requisition self-service; is that
12 correct?

13 A Yes.

14 Q And Novant has also licensed procurement punchout; is that
15 correct?

16 A Yes.

17 Q Novant's been using Lawson requisition self-service for
18 about five years; is that correct?

19 A Yes.

20 Q And prior to that, Lawson was using the requisitions
21 module; is that correct?

22 A Yes.

23 Q Isn't it true that Lawson provided personnel to assist
24 Novant with the initial implementation of requisition
25 self-service?

1 A Yes.

2 Q And that initial implementation took about four months;
3 isn't that correct?

4 A I think that was -- I couldn't put an exact date on just
5 the requisition self-service because it is part of a larger
6 project.

7 Q That larger project took approximately four months; is
8 that correct?

9 A No, the larger project took more than that.

10 Q How long did it take?

11 A I'm not sure I can recollect at this moment.

12 THE COURT: Don't guess. It's okay.

13 Q Isn't it true that during that initial implementation,
14 Lawson provided Novant with application consulting services?

15 A Yes.

16 Q And with technical consulting services?

17 A Yes.

18 Q And isn't it true that during that initial implementation
19 of requisition self-service, Lawson also provided Novant with
20 client site training?

21 A For requisition self-service?

22 Q Correct.

23 A Yes.

24 Q And Lawson personnel actually traveled to Novant to
25 provide some classroom training on requisition self-service;

1 isn't that correct?

2 A Yes.

3 Q Novant has a maintenance agreement with Lawson for the
4 requisition self-service software; isn't that correct?

5 A Yes.

6 Q And isn't it true that that maintenance agreement also
7 allows Novant to receive ongoing upgrades to its software?

8 A Yes.

9 Q Lawson also provides Novant with an online library of
10 educational materials regarding its procurement package?

11 A Yes.

12 Q Including specific product guides, for example?

13 A Yes.

14 Q Is it true that Novant currently has about 70,000 to
15 80,000 active items in its item master database?

16 A Yes.

17 Q And those are all available for ordering through
18 requisition self-service?

19 A Yes.

20 Q And isn't it correct that those 70,000 to 80,000 items are
21 associated with approximately 10,000 different vendors; is that
22 correct?

23 A Yes. In rough numbers.

24 Q And each of those items, those items have textual
25 descriptions, correct, in the item master?

1 particular items; correct? We've discussed that?

2 A Yes.

3 Q Isn't it true that Lawson requisition self-service, the
4 application that's used at Novant, has the capability of using
5 those UNSPSC codes?

6 A Capability exists, not used.

7 THE COURT: You say it exists but you don't use it?

8 THE WITNESS: Yes, sir.

9 Q Isn't it true that by searching for items using a UNSPSC
10 code in Lawson requisition self-service, that if a user at
11 Novant was to use that capability, it could find items from
12 multiple vendors with a particular UNSPSC code?

13 MR. SCHULTZ: Objection, foundation. He said he
14 doesn't use it.

15 MR. STRAPP: Your Honor, we've been talking about the
16 capability of the Lawson system. The door was opened on
17 direct.

18 THE COURT: It's on cross-examination. I think he
19 can answer that.

20 A Could you repeat the question.

21 Q Sure.

22 THE COURT: If you did use it is the question. You
23 may ask that.

24 Q If a user at Novant was using Lawson requisition
25 self-service searching for an item by using a UNSPSC code, that

1 user could find items from multiple vendors with the same
2 UNSPSC code; isn't that correct?

3 A Yes.

4 Q You talked a little bit about a competition, an RFP
5 process at Lawson; do you recall that testimony?

6 A Yes.

7 Q And the RFP that was sent was for procure to pay solution;
8 correct?

9 A Yes.

10 Q By a procure to pay solution, Novant means an end-to-end
11 solution that starts all the way from requisitioning and goes
12 through payment; correct?

13 A Yes.

14 Q The Novant Health -- the RFP, that was issued around 2008;
15 is that correct?

16 A Yes.

17 Q And that RFP we saw was sent to Lawson; isn't that
18 correct, Lawson and SciQuest?

19 A Yes.

20 Q It was also sent to ePlus?

21 A Yes.

22 Q Isn't it true that Novant sought the same functionality
23 from ePlus that it sought from all the other vendors as part of
24 this process including Lawson and SciQuest?

25 A Yes.